

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MATTHEW JONES,

Plaintiff,

- against -

POLICE OFFICER ADAM MUNIZ ET AL.,

Defendants.

16-cv-8080 (JGK)

ORDER

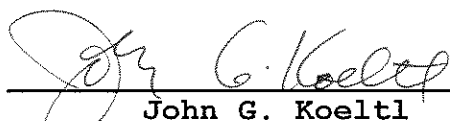
JOHN G. KOELTL, District Judge:

On May 23, 2018, the Jury returned a verdict (a copy of which is attached) that found no liability to the plaintiff by defendants Officer Adam Muniz, Officer Michael Vaccaro, and Undercover Officer #349. On May 24, 2018, the jury answered Special Interrogatories, a copy of which is attached. By Opinion and Order dated November 21, 2018, this Court found that the remaining defendant, Lt. Treubig, is entitled to qualified immunity and therefore has no liability to the plaintiff.

The Clerk of Court is therefore directed to enter judgment dismissing the plaintiff's Complaint against the defendants with prejudice. The Clerk is also directed to close this case and to close any pending motions.

SO ORDERED.

Dated: New York, New York
November 21, 2018



John G. Koeltl
United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MATTHEW JONES,

Plaintiff,

16-cv-8080 (JGK)

- against -

POLICE OFFICER ADAM MUNIZ, ET AL.

Defendants.

SPECIAL VERDICT FORM

Question 1:

Do you find that the plaintiff has proved by a preponderance of the evidence that in arresting the plaintiff any of the defendants violated the plaintiff's rights by using excessive force, as that term has been defined for you in the Court's instructions?

		<u>Yes</u>	<u>No</u>
(i)	Vaccaro	<u>Yes</u>	<u>X</u>
(ii)	Muniz	<u>Yes</u>	<u>X</u>
(iii)	Treubig	<u>X</u>	
(iv)	UC #349		<u>X</u>

If you answered "No" as to ALL defendants, please skip the remaining questions and sign the Special Verdict Form.

If you answered "Yes" as to ANY defendant, please proceed to Question 2(a).

Question 2(a):

Do you find that the plaintiff has proved by a preponderance of the evidence that the plaintiff is entitled to compensatory damages, as that term has been defined for you in the Court's instructions?

YES _____

NO X

If you answered "No" please skip to Question 3.

If you answered "Yes" please proceed to Question 2(b).

Question 2(b):

What compensatory damages do you find the plaintiff is entitled to for the deprivation of his right to be free from excessive force?

\$

Skip to Question 4(a).

Question 3:

What amount of nominal damages, not to exceed one dollar, do you award the plaintiff on his excessive force claim?

\$ ~~0.00~~ 0.25

Proceed to Question 4(a).

Question 4(a):

Do you find that the plaintiff has proved by a preponderance of the evidence that the plaintiff should be awarded punitive damages against any of the following defendants?

		<u>Yes</u>	<u>No</u>
(i)	Vaccaro	<u> </u>	<u> </u>
(ii)	Muniz	<u> </u>	<u> </u>
(iii)	Treubig	<u> </u>	<u> </u>
(iv)	UC #349	<u> </u>	<u> </u>

If you answered "No" as to ALL defendants, please skip the remaining questions and sign the Special Verdict Form.

If you answered "Yes" as to ANY defendant, please proceed to Question 4(b) ONLY with respect to the defendant(s) for whom you answered "Yes" to Question 4(a).

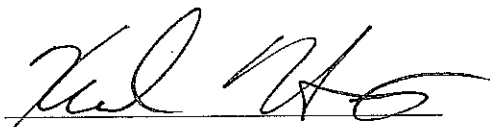
Question 4(b):

For any defendant you answered "Yes" to in Question 4(a), what amount of punitive damages do you find should be awarded against that defendant?

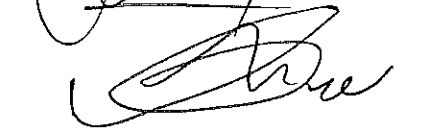
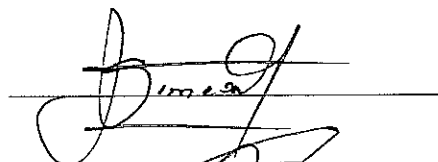
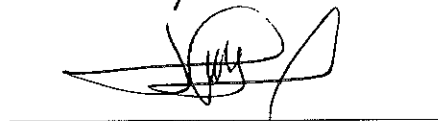
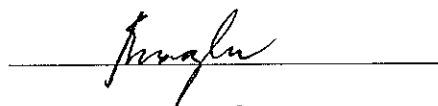
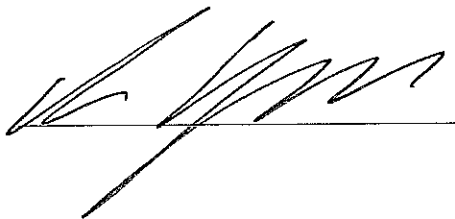
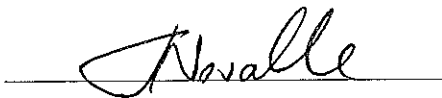
(i)	Vaccaro	\$ <u> </u>
(ii)	Muniz	\$ <u> </u>
(iii)	Treubig	\$ <u>30,000</u>
(iv)	UC #349	\$ <u> </u>

Please proceed to sign the Special Verdict Form.

The jury reached the above verdict unanimously.



Foreperson



DATED: 5/23/18
New York, New York

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MATTHEW JONES,

Plaintiff,

16-cv-8080 (JGK)

- against -

POLICE OFFICER ADAM MUNIZ, ET AL.

Defendants.

SUPPLEMENTAL VERDICT FORM

Supplemental Question 1:

Did Lieutenant Treubig say he would use the taser before he used it?

YES

X

NO

Proceed to Supplemental Question 2.

Supplemental Question 2:

Was a second taser cycle needed to gain control of the plaintiff's arms?

YES

NO

X

Proceed to Supplemental Question 3.

Supplemental Question 3:

Did Lieutenant Treubig believe that a second taser cycle was needed to gain control of the plaintiff's arms?

YES

X

NO

Proceed to Supplemental Question 4.

Supplemental Question 4:

Was the plaintiff resisting arrest when Lieutenant Treubig used the taser the first time?

YES

X

NO

Proceed to Supplemental Question 5.

Supplemental Question 5:

Did Lieutenant Treubig believe that the plaintiff was resisting arrest when Lieutenant Treubig used the taser the first time?

YES X
NO _____

Proceed to Supplemental Question 6.

Supplemental Question 6:

Was the plaintiff resisting arrest when Lieutenant Treubig used the taser the second time?

YES _____
NO X

Proceed to Supplemental Question 7.

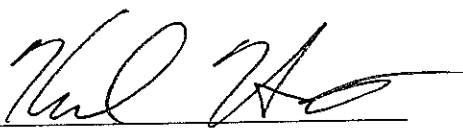
Supplemental Question 7:

Did Lieutenant Treubig believe that the plaintiff was resisting arrest when Lieutenant Treubig used the taser the second time?

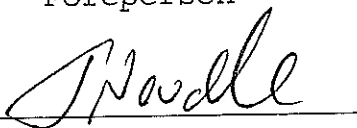
YES X
NO _____

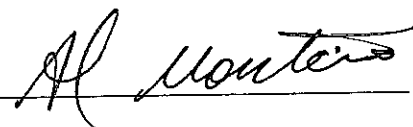
Please proceed to sign the Supplemental Verdict Form.

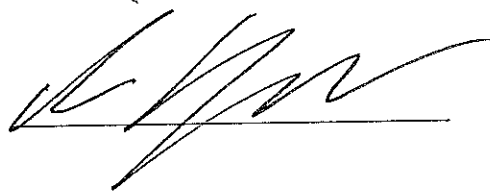
The jury reached the above verdict unanimously.

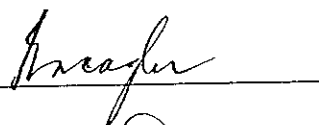


Foreperson

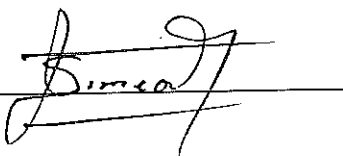














DATED: 5/24/18
New York, New York